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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

HARBOR FINANCE PARTNERS, on
behalf of itself and all others similarly
situated

Plaintiff,

v.

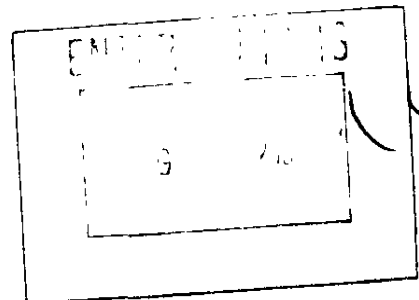
TERRY BARNES, RICHARD
BARTON, ROBERT DAVIS, BARRY
DILLER, VICTOR KAUFMAN, DARA
KHOSROWSHAHI, BRYAN LOURD,
JON MILLER, JOHN PLEASANTS,
MICHAEL SCHRAGE, ALAN SPOON,
TICKETMASTER, and USA
INTERACTIVE, Inclusive,

Defendants,

CASE NO. 02-04401 TJH (RZx)

CLASS ACTION "BY FAX"

**REQUEST TO DISMISS
ENTIRE ACTION WITHOUT
PREJUDICE; [PROPOSED]
ORDER THEREON**



☒ Docketed
☒ No Copies / Sent
☒ JS - 5 / JS - 6
☐ JS - 2 / JS - 3
☐ CLSD

AUG 7 2002

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 In light of conversations between defense counsel and plaintiff's counsel
3 regarding the merits of this action and defendant USA Interactive's withdrawal of its
4 offer to buy all outstanding shares of defendant Ticketmaster, subsequent to the
5 filing of this action;


6 Whereas no defendant has yet filed a responsive pleading to this action;

7 Plaintiff Harbor Finance Partners respectfully requests this Court dismiss this
8 action without prejudice.

9
10 Dated: August 2, 2002

Michael D. Braun (167416)
Patrice Bishop (182256)
STULL, STULL & BRODY

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13 By:


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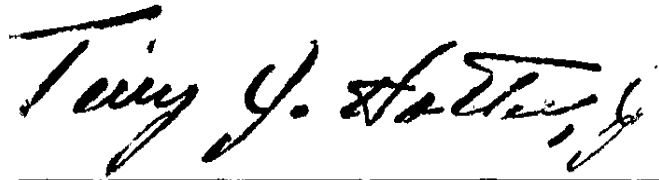
22 Attorneys for Plaintiff
23
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1 **[PROPOSED] ORDER**

2 Pursuant to the request of plaintiff, the action entitled Harbor Finance Partners
3 v. Barnes, et al., United States District Court for the Central District of California,
4 Case No. 02-04401 TJH (RZx), is hereby dismissed without prejudice.

5 **IT IS SO ORDERED.**

6
7 DATED: SEP 6 2002



HONORABLE TERRY J. HATTER, JR.
DISTRICT JUDGE

28

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA }
3 COUNTY OF LOS ANGELES } ss.:

4 I am employed in the county of Los Angeles, State of California, I am over the
5 age of 18 and not a party to the within action; my business address is 10940 Wilshire
Boulevard, Suite 2300, Los Angeles, CA 90024.

6 On August 2, 2002, I served the document described as **REQUEST TO**
7 **DISMISS ENTIRE ACTION WITHOUT PREJUDICE; [PROPOSED] ORDER**
8 **THEREON** by placing a true copy(ies) thereof enclosed in a sealed envelope(s)
9 addressed as follows:

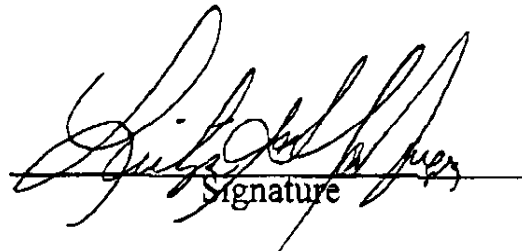
10 **SEE ATTACHED SERVICE LIST**

11 I served the above document(s) as follows:

12 BY MAIL. The envelope(s) was/were mailed with postage thereon fully prepaid.
13 I am familiar with the firm's practice of collection and processing correspondence for
14 mailing. Under that practice it would be deposited with U.S. postal service on that same
15 day with postage thereon fully prepaid at Los Angeles, California in the ordinary course
of business. I am aware that on motion of the party served, service is presumed invalid
if postal cancellation date or postage meter date is more than one day after date of
deposit for mailing in an affidavit.

16 I declare that I am employed in the office of a member of the bar of this Court at
17 whose direction the service was made.

18
19 LEITZA MOLINAR
20 Type or Print Name

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Signature

SERVICE LIST

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**Attorneys for Defendants Terry
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Ticketmaster**